

**From:** [Zito, Kelly](#)  
**To:** [Keener, Bill](#)  
**Subject:** FW: Cargill Redwood City Salt Plant -- revised desk statement  
**Date:** Tuesday, February 02, 2016 9:11:00 AM

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**From:** Kao, Jessica  
**Sent:** Thursday, March 19, 2015 2:17 PM  
**To:** Keener, Bill <Keener.Bill@epa.gov>; Brush, Jason <Brush.Jason@epa.gov>; Maier, Brent <Maier.Brent@epa.gov>; Diamond, Jane <Diamond.Jane@epa.gov>; Zito, Kelly <ZITO.KELLY@EPA.GOV>; Woo, Nancy <Woo.Nancy@epa.gov>; Leidy, Robert <Leidy.Robert@epa.gov>; Scianni, Melissa <Scianni.Melissa@epa.gov>; Rao, Kate <Rao.kate@epa.gov>  
**Cc:** Skadowski, Suzanne <Skadowski.Suzanne@epa.gov>  
**Subject:** RE: Cargill Redwood City Salt Plant -- revised desk statement

Typo here (last paragraph) – strike out “a” or say “analysis”  
“a detailed scientific and legal analyses”

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**From:** Keener, Bill  
**Sent:** Thursday, March 19, 2015 2:11 PM  
**To:** Kao, Jessica; Brush, Jason; Maier, Brent; Diamond, Jane; Zito, Kelly; Woo, Nancy; Leidy, Robert; Scianni, Melissa; Rao, Kate  
**Cc:** Skadowski, Suzanne  
**Subject:** RE: Cargill Redwood City Salt Plant -- revised desk statement

Folks, meanwhile we worked with OW’s Travis Loop to finalize language for our media desk statement:

**Cargill “Redwood City Salt Plant” Desk Statement**

(b)(5) deliberative & attorney client privileged  
[Redacted text block containing multiple paragraphs of blacked-out content]

B5 Deliberative

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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**Bill Keener**

Office of Public Affairs  
U.S. EPA - Region 9  
San Francisco, CA  
Phone: (415) 972-3940

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**From:** Kao, Jessica

**Sent:** Thursday, March 19, 2015 1:39 PM

**To:** Brush, Jason; Keener, Bill; Maier, Brent; Diamond, Jane; Zito, Kelly; Woo, Nancy; Leidy, Robert; Scianni, Melissa; Rao, Kate

**Subject:** RE: Question from Congresswoman Eshoo's Paul Beck on EPA Letter to U.S. Army Corps of Engineers Regarding Clean Water Act Jurisdictional Determination on Cargill Redwood City Salt Plant

EPA's special case action means EPA will be the lead agency for making Clean Water Act jurisdictional determination for this site. The Corps administers the Rivers and Harbors Act and has an independent authority to make jurisdictional determinations under that statute. It is our understanding that the Corps intends to do so.

Jessica Kao  
Chief of Staff, Office of the Regional Administrator  
USEPA, Pacific Southwest Region  
75 Hawthorne Street  
San Francisco, CA 94104  
Dir: 415-972-3922

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**From:** Brush, Jason

**Sent:** Thursday, March 19, 2015 12:54 PM

**To:** Keener, Bill; Maier, Brent; Diamond, Jane; Kao, Jessica; Zito, Kelly; Woo, Nancy; Leidy, Robert; Scianni, Melissa; Rao, Kate

**Subject:** Re: Question from Congresswoman Eshoo's Paul Beck on EPA Letter to U.S. Army Corps of Engineers Regarding Clean Water Act Jurisdictional Determination on Cargill Redwood City Salt Plant

The Corps must speak for the government on what the 1899 Rivers and Harbors Act covers.

EPA has elected to take the lead for Clean Water Act decisions on this site, and fully intends to continue our close coordination with the Corps as the agencies move their decisions to conclusion.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

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**From:** Keener, Bill

**Sent:** Thursday, March 19, 2015 12:07 PM

**To:** Maier, Brent; Diamond, Jane; Kao, Jessica; Zito, Kelly; Woo, Nancy; Brush, Jason; Leidy, Robert; Scianni, Melissa; Rao, Kate

**Subject:** RE: Question from Congresswoman Eshoo's Paul Beck on EPA Letter to U.S. Army Corps of Engineers Regarding Clean Water Act Jurisdictional Determination on Cargill Redwood City Salt Plant

Brent, we have a new desk statement worked out with HQ, and that will have an approximate time frame given. **B5 Deliberative**

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**Bill Keener**

Office of Public Affairs

U.S. EPA - Region 9

San Francisco, CA

Phone: (415) 972-3940

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**From:** Maier, Brent

**Sent:** Thursday, March 19, 2015 12:01 PM

**To:** Diamond, Jane; Kao, Jessica; Zito, Kelly; Keener, Bill; Woo, Nancy; Brush, Jason; Leidy, Robert; Scianni, Melissa; Rao, Kate

**Subject:** Question from Congresswoman Eshoo's Paul Beck on EPA Letter to U.S. Army Corps of Engineers Regarding Clean Water Act Jurisdictional Determination on Cargill Redwood City Salt Plant

**Importance:** High

Please see the question I received from Paul Beck in Rep. Eshoo's office. Please let me know how you think it is best to respond to Paul's inquiry. **B5 Deliberative**

**B5 Deliberative** please let me know. Thanks.

*Brent Maier*

Congressional Liaison

U.S. Environmental Protection Agency, Region IX

75 Hawthorne St. (OPA-3)

San Francisco, CA 94105

Ph: 415.947.4256

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**From:** Beck, Paul [<mailto:Paul.Beck@mail.house.gov>]

**Sent:** Thursday, March 19, 2015 11:47 AM

**To:** Maier, Brent

**Subject:** RE: U.S. EPA Letter to U.S. Army Corps of Engineers Regarding Clean Water Act Jurisdictional Determination on Cargill Redwood City Salt Plant

Hi Brent, I just tried to call you but am going to be traveling this afternoon so will be away from my phone for the rest of the weekend. Can you just tell me, does this letter automatically suspend the Army Corps' ongoing jurisdictional determination process and bring it instead under the EPA's

purview? If so, do you have any sense of the approximate timeframe for this kind of determination?

Thanks,  
Paul

Paul Beck | Legislative Assistant/Counsel | Rep. Anna G. Eshoo (CA-18) | 241 Cannon | 202.225.8104

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**From:** Maier, Brent [<mailto:Maier.Brent@epa.gov>]

**Sent:** Thursday, March 19, 2015 12:04 PM

**To:** Miller, Ben; Gurewitz, Heather; Callaway, Jenny; Ferree, Logan; Olhausen, Matt; Crowell, Piper; Najera, Alesandra; Minto, Brandon; Thomson, Brandon; Austin, Chris; Lathbury, Donald; Crow, Elizabeth; Fairclough, Elly; Durst, Garrett; Klever, Jeannie; Onorato, Brad; Badmington, Casey; Diehm, Cheryl; Orpilla, Mel; Rhinehart, Melanie; Arnold Marr, Betsy; Struthers, Emllyn; Goldsmith, Remy; Jackson, Sarah; Scales, Shanelle; Ursino, Adrienne; Taylor, Anne; Foard, Colin; Goodman, Kaitlyn; Andrews, Sandra; Paull, Alana; Perkins, Brian (Speier); Goldstein, Miriam; Ginsburg, Andrew; Greven, Cheri; Huber, Joshua; Warren, Samantha; Rafah, Ahmad; Hyde, Cathy Ming; Tan, Edwin; Werwa, Eric; VanderHeide, Jennifer; Padilla, Christine; Chapman, Karen; Beck, Paul; Branson, Michael; Soto, Sandra; Leavandosky, Stacey; Hull, ZJ; Arago, Alec; Merrill, Debbie; Dornatt, Rochelle; Phillips, Troy; Rafah, Ahmad; Hyde, Cathy Ming; Tan, Edwin; Werwa, Eric; VanderHeide, Jennifer; Bernal, Dan; Tecklenburg, Michael

**Cc:** Skadowski, Suzanne; Keener, Bill; Zito, Kelly; Kaiser, Sven-Erik; Borum, Denis; Bowles, Jack; Hannon, Arnita; Rupp, Mark; Distefano, Nichole; Vaught, Laura

**Subject:** U.S. EPA Letter to U.S. Army Corps of Engineers Regarding Clean Water Act Jurisdictional Determination on Cargill Redwood City Salt Plant

Dear Colleagues,

Attached please find a letter from the U.S. EPA Region 9 to the U.S. Army Corps of Engineers regarding the Clean Water Act jurisdictional determination for the Cargill Redwood City Salt Plant property.

Please give me a call if you have any questions or need any additional information.

Regards,

*Brent Maier*

Congressional Liaison

U.S. Environmental Protection Agency, Region IX

75 Hawthorne St. (OPA-3)

San Francisco, CA 94105

Ph: 415.947.4256